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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/607,857 06/27/2003		Roger K. Engel	3249CIP	7102	
7590 09/21/2004			EXAMINER		
Niro, Scavone, Haller & Niro			KRISHNAMURTHY, RAMESH		
Suite 4600 181 W. Madison			ART UNIT	PAPER NUMBER	
Chicago, IL 6		3753			

DATE MAILED: 09/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary 10/607,857 Examiner Art Unit 3753			Applicatio	n No.	Applicant(s)					
Ramesh Krishnamurthy 3753 The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Exhanison time may be available under the provisions of 37 CFR 1.13(a). In no event, however, may a reply be timely flied after SK (6) MONTHS from the mailing also of the communication of 37 CFR 1.13(a). In no event, however, may a reply be timely flied after SK (6) MONTHS from the mailing also of the communication. Failure for reply switch from the mailing and so the consense of 37 CFR 1.13(a). In no event, however, may a reply to timely flied after the SK (6) MONTHS from the mailing date of this communication. Failure for reply within the set or extended period for reply will, by statute, cause the application to become ABANCONED (35 U.S. 2, § 133). Any reply received by the Office light then there eminish after the mailing date of this communication. Part of the second of the second period for reply will. by statute, cause the application to become ABANCONED (35 U.S. 2, § 133). Responsive to communication(s) filled on 24 October 2003. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-4 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 1-4 is/are rejected. 7) Claim(s) is/are able to restriction and/or election requirement. Application Papers 9) The precification is objected to by the Examiner. 10 The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The provision of the caperior of the provision of the drawing(s) is objected to See 37 CFR 1.121(d). 11) Replacement drawing shee(s) including	Office Action Summary		10/607,85	7						
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after 510; 0 for the specified above, he maximum in this (30) days, a reply within the statulatory minimum of thinty (30) days, will be considered timely. 18 NO period for reply is a pecified above, he maximum statutory period will apply and will expire 50x (6) MONTH3 form the nailing date of this communication. 19 Failure to reply within the sot or ordered period for reply will, by statutory period will apply and will expire 50x (6) MONTH3 form the nailing date of this communication. Pallure to reply within the statutory in the communication to become ARMONDED (19 to 2.5, 1513). Any reply resolved by the Office later than those months after the mailing date of this communication, even if timely filed, may reduce any sentent patient them adjustment. See 37 CFR 1.794(b): This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☐ Claim(s) 1-4 is/are pending in the application. 4a) ☐ Claim(s) 1-4 is/are allowed. 5) ☐ Claim(s) 1-4 is/are allowed. 6) ☐ Claim(s) 1-4 is/are objected to. 8) ☐ Claim(s) 1-4 is/are objected to. 8) ☐ Claim(s) 1-4 is/are objected to may be a subject of the provision of the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b ☐ Certified copies of the priority do			Examiner		Art Unit					
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application from the International Bureau (PCT Rule 17.2(a)).					ed in this Nationa	ai Stage				
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* See the attached detailed Office action for a list of the certified copies not received.	" ;	See the attached detailed Office action for	a list of the cert	ned copies not receiv	eu.					
Attachment(s)	Attachmer	nt(s)								
1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)										
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152)	2) Noti	ce of Draftsperson's Patent Drawing Review (PTO-94	Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152)							
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 6) Other:			55/00)		•					

Application/Control Number: 10/607,857

Art Unit: 3753

This office action is responsive to communications filed 10/24/2003.

Claims 1 – 4 are pending.

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 1 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Chemberlen (US 5,584,409).

Chemberlen discloses a pressure relief valve (10) comprising: base (42) mountable to a support surface and having a first layer defining inner aperture (44); an inner rail (18) on said base defining a passageway recessed from said inner aperture and in communication with said inner aperture; moveable flexible film (34) made of elastomeric material mounted said inner rail, said film moveable between open and closed position; in said open position said film located above said aperture and extends outwardly beyond said base with film ballooning outwardly and in said closed position, said film covers said aperture.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramesh Krishnamurthy whose telephone number is (703) 305 - 5295. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Scherbel, can be reached on (703) 308 - 1272. The fax phone number for the organization where this application or proceeding is assigned is (703) 872 – 9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308 - 0861.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramesh Krishnamurthy, Ph.D., PE

Primary Examiner

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